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Eleanor J. Halik

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/005,000

Applicant: James H Lee

Filed: 12/07/2001

Title: A COGENERATION SYSTEM FOR A FUEL CELL

Art Unit: 1754

Examiner: Alejandro, Raymond

Attorney Docket No.: H-204145

APPEAL BRIEF

Sir:

This Appeal Brief is being filed in response to the final Office Action of June 29, 2004 and in support of reversing the Examiner's rejection of claims 1-2 and 10 involved in this appeal. One copy of this Appeal Brief is being supplied.

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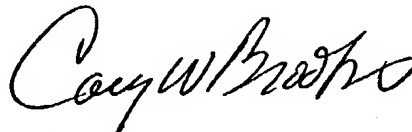
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### VIII. CONCLUSION

Bloomfield does not identically disclose a process including a Rankine cycle that includes a fuel cell stack with a heat exchanger and an organic based liquid working fuel flowing through the heat exchanger. Ennis et al discloses the use of a fuel cell and a combustor to power a turbine, and there is no suggestion or motivation supplied they would make it obvious to a person of ordinary skill in the art to utilize the turbine of Ennis et al in the Rankine cycle loop of Bloomfield. And even if there were some suggestion to so combine, the result would not be Applicants' claimed invention as set forth in Claim 1 because Bloomfield does not disclose or suggest a Rankine cycle loop that includes a fuel cell in the loop. Finally, Keller is simply is not analogous art.

In view of the above argument, Applicants' respectfully request the Board to reverse the reject of the claims now in the case and instruct the examiner to send the case to issue.

Respectfully submitted



Cary W. Brooks - Attorney  
Reg. No. 33,361  
(313) 665-4717